

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,
Plaintiff,

V.

IGNAZIO LENA,
Defendant.

) Criminal Action No. 89-49-3-KAJ

NOTICE OF APPEAL

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2005 DEC 15 AM 11:28
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NOTICE OF APPEAL

COMES NOW IGNAZIO LENA, Defendant in the above styled action, hereinafter referred to as “Defendant,” by and through his undersigned counsel, and files this Notice of Appeal to the United States Court of Appeals for the Third Circuit from an order filed by the United States District Court, District Court Judge Kent A. Jordan, on December 5, 2006 denying Defendant’s Motion for re-sentencing pursuant to 18 U.S.C. Section 3582, or in the alternative, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure.

DATED: December 14, 2006

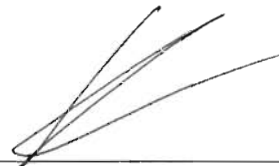
Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of December, 2006, a true and correct copy of the foregoing notice of appeal was deposited in the U.S. Mail, postage prepaid, and sent to the following:

Richard G. Andrews, Esq.
Assistant United States Attorney
Office of the United States Attorney's Office
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Robert G. Levitt, Esq.